

02/25/02
JC826 U.S. PTO

02-26-02

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JC826 U.S. PTO
10/082130
02/25/02

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	ALL.02
First Inventor	GERBER
Title	METHODS AND REAGENTS TO ACQUIRE MRI SIGNALS AND IMAGES
Express Mail Label No.	EV 025902743

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 62]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 27]
5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☒ Assignee: Allos Therapeutics, Inc.
- 8 Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Pet. for Color Figs. and enclosures

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No 60/271,237

Prior application information

Examiner

Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 25871 or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

DARLA G. YOERG

Registration No. (Attorney/Agent)

48,053

Signature

Darla G. Yoerg

Date

Feb. 25, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

APPLICANT: GERBER
SERIAL NO.: 10/_____
FILED: FEBRUARY 25, 2002
TITLE: METHODS AND REAGENTS TO
ACQUIRE MRI SIGNALS AND
IMAGES

ART UNIT:

JCS28 U.S. PRO
10/082130
02/25/02

**PETITION TO ACCEPT COLOR DRAWINGS
UNDER 37 C.F.R. § 1.84(a)(2)**

Applicants respectfully petition under 37 C.F.R. § 1.84(a)(2) for the Patent and Trademark Office to accept color drawings in the above-referenced utility patent application for Figs. 2, and 4-7. Color drawings are believed to be the only practical medium to disclose Applicant's invention because the invention lies in part in obtaining color MRI images by a color coded system on a computer display. If Applicants were not allowed to file with color drawings it would be very difficult for the public to discern relative base pairing strength through various shades of gray. By way of illustration, attached hereto is a photocopy of Figs. 4 and 5. Comparing the attached photocopy of the drawings of Figs. 4 and 5 with the color drawings of Figs. 4 and 5 which Applicant petitions to submit herewith, makes it readily apparent that color is the only acceptable vehicle for fully disclosing Applicant's invention and for fully illustrating the utility of Applicant's invention. Accordingly, Applicants respectfully request granting of this petition to allow the filing of color figures for Figs. 2, and 4-7. Accompanying this petition are the following:

- [illegible]

2. A black and white photocopy of Figures 4 and 5 that accurately depicts, to the extent possible, the subject matter shown in the color drawings; and

3. A photocopy of page 9 of the specification filed herewith demonstrating that the specification includes the language set forth in § 1.84(a)(2)(iv).

The Office is authorized to charge the petition fee of \$130.00 as set forth in 37C.F.R. § 1.17(a) associated with this petition to deposit account No. 19-5117.

Respectfully submitted,

Date: February 25, 2002



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Enclosures

cc: Evan King

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